

**UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT
OFFICE OF THE CLERK**

Byron White United States Courthouse
1823 Stout Street
Denver, Colorado 80257
(303) 844-3157

Elisabeth A. Shumaker
Clerk of Court

January 12, 2015

Chris Wolpert
Chief Deputy Clerk

Francis A. Bottini Jr.
Bottini & Bottini
7817 Ivanhoe Avenue, Suite 102
La Jolla, CA 92037

Nadeem Faruqi
Beth A. Keller
Faruqi & Faruqi
369 Lexington Avenue, 10th Floor
New York, NY 10017

Ligaya T. Hernandez
Michael J. Hynes
Hynes, Keller & Hernandez
1150 First Avenue, Suite 501
King of Prussia, PA 19004

David W. Scofield
Peters Scofield
7430 Creek Road, Suite 303
Sandy, UT 84093

RE: 15-4001, Pikk, et al v. Pedersen, et al
Dist/Ag docket: 2:12-CV-01188-DB, 2:12-CV-01216-EJF

Dear Counsel:

The court has received and docketed your appeal. Please note your case number above. Copies of the Tenth Circuit Rules, effective January 1, 2015, and the Federal Rules of Appellate Procedure, effective December 1, 2014, may be obtained by contacting this office or by visiting our website at <http://www.ca10.uscourts.gov>. In addition, please note all counsel are required to file pleadings via the court's Electronic Case Filing (ECF) system. You will find information regarding registering for and using ECF on the court's website. We invite you to contact us with any questions you may have about our

operating procedures. Please note that all court forms are now available on the court's web site. Outlined below are some of the requirements for prosecuting this appeal. **In particular, please see 10th Cir. R. 30.1 for important changes to the court's appendix requirements.**

Attorneys must complete and file an entry of appearance form within 14 days of the date of this letter. *See* 10th Cir. R. 46.1(A). Appellant's failure to enter an appearance may cause the appeal to be dismissed. An appellee who fails to enter an appearance may not receive notice or service of orders. If an appellee does not wish to participate in the appeal, a notice of non-participation should be filed via ECF as soon as possible. The notice should also indicate whether counsel wishes to continue receiving notice or service of orders issued in the case.

You are required to file a docketing statement within 14 days of filing the notice of appeal. If you have not yet filed that pleading, you should do so within 14 days of the date of this letter. Please note that under local rule 3.4(C), the appellant is not limited to the issues identified in his docketing statement and may raise other appropriate issues in the opening brief. In addition to the docketing statement, all transcripts must be ordered within 14 days of the date of this letter. If no transcript is necessary, you must file a statement to that effect.

Appellant is not required to file a designation of record, but will be required to file an appendix with appellant's opening brief. *See* 10th Cir. R. 10.2(B) and 30.1.

Appellant must file an opening brief and appendix within 40 days after the date on which the district clerk notifies the parties and the circuit clerk that the record is complete for purposes of appeal. *See* 10th Cir. R. 31.1(A)(1). Motions for extension of time to file briefs and appendices must comply with 10th Cir. R. 27.3, 27.4(B), 27.4(E), where applicable, and 27.4(F). These motions are not favored.

Briefs must satisfy all requirements of the Federal Rules of Appellate Procedure and Tenth Circuit Rules with respect to form and content. *See* specifically Fed. R. App. P. 28 and 32 and 10th Cir. R. 28.1, 28.2 and 32.1, as well as 31.4 when applicable. Seven hard copies of briefs must be provided to the court within two days of filing via the court's Electronic Case Filing system. *See* 10th Cir. R. 31.5 and the court's CM/ECF User's Manual. Appendices must satisfy the requirements of Fed. R. App. P. Rule 30 and 10th Cir. R. 30.1(A) through (F). Please note that as of January 1, 2015, all appendices must be filed electronically, and a single hard copy provided to the court within two days of filing via the court's Electronic Case Filing system. *See* 10th Cir. R. 30 as well as the court's CM/ECF User's Manual.

Please contact this office if you have questions.

Sincerely,

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", followed by a long horizontal flourish.

Elisabeth A. Shumaker
Clerk of the Court

cc: Kevin N. Anderson
Brent R. Baker
David J. Berger
Jennifer Ann James
Bryan J. Ketrosier
Nessia S. Kushner
Steven M. Schatz
Artemis D. Vamianakis
David Loren Washburn

EAS/sls